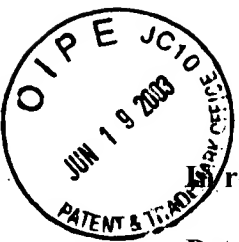


JUN 24 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 65850-105-4; 99-369)

PATENT

Re Patent of: Brewer et al.

Patent No.: 6,541,620

Issued: April 1, 2003

For: Nucleic Acids Encoding  
TNF Inhibitor and  
Method of Production

Before the Examiner:

Group Art Unit: 1646

Certificate of Correction Branch  
Commissioner for Patents  
Washington, D.C. 20231

Certificate

JUN 24 2003

of Correction

Sir:

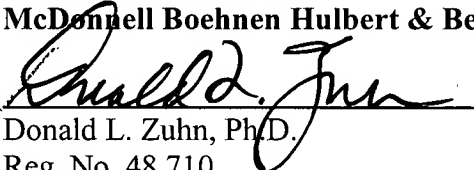
**TRANSMITTAL LETTER**

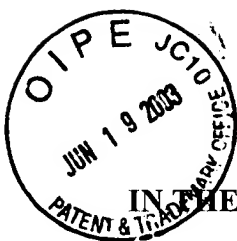
1. We are transmitting herewith the attached papers for the above-described patent:  
Request for Certificate of Correction under 37 C.F.R. § 1.322, Certificate of Correction Form PTO-1050, and return postcard.
2. GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES: Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington D.C. 20231, on June 16, 2003.

Respectfully submitted,  
McDonnell Boehnen Hulbert & Berghoff

Dated: June 16, 2003

By:

  
Donald L. Zuhn, Ph.D.  
Reg. No. 48,710



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 65850-105-4; 99-369)

PATENT

In re Patent of: Brewer et al.

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For: Nucleic Acids Encoding  
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Group Art Unit: 1646

Certificate of Correction Branch  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. § 1.322**

Patent No. 6,541,620 has issued with several mistakes in the specification. Patentees' Assignee contends that these mistakes incurred through the fault of the Patent and Trademark Office and that these mistakes are clearly disclosed in the Records of the Office, and therefore, respectfully requests that a Certificate of Correction of Patent and Trademark Office mistake under 37 C.F.R. § 1.322, pursuant to 35 U.S.C. § 254, be issued.

It is contended that the Abstract for Patent No. 6,541,620 should be corrected as follows:

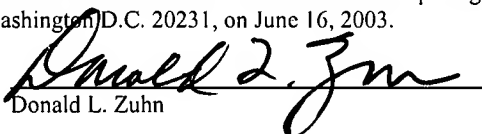
The present invention provides nucleic acid molecules encoding a ~~30kDa~~ TNF inhibitor or a fragment thereof having at least one non-native cysteine residue at the N-terminus, C-terminus, residue 14, or residue 15.

It is also contended that the specification of Patent No. 6,541,620 should be corrected as follows:

At column 5, lines 47-50: "FIGS. 44A to 44C describe the RPC-8 chromatographic pattern of 40kDa TNF inhibitor  $\Delta$ 51 (A), SDS-polyacrylamide gel analysis of the fractions (B), and the cytotoxicity assay on L929 cells (C)."

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington D.C. 20231, on June 16, 2003.

  
Donald L. Zuhn

At column 8, lines 11-14: "Two such shortened proteins are described in Examples 17 and 22 below, and are referred to as 40kDa TNF inhibitor  $\alpha$ - $\Delta$ 51 and 40kDa TNF inhibitor  $\Delta$ 53."

At column 19, lines 2-6: "It is preferred, in one embodiment, that the transformation occur at low temperatures, as temperature regulation is contemplated as a means of regulating gene expression through the use of operational elements as set forth above."

At column 23, lines 59-61: "The protein fraction was mixed with TNF-aff-igel for one hour at 4° C., and all unbound material was removed by centrifugation."

At column 24, lines 18-19: "The material was incubated at 40° C. for 16 hours then mixed with a TNF-affigel for one hour at 40° C."

At column 29, lines 57-62: "Next, a 468 bp fragment defined by Styl (position 303) and HindIII defining the C-terminus of the protein was removed from the Rf form as a mutagenized clone and inserted into *E. coli* expression plasmid containing the *tac* $\Delta$ I promoter (DeBoer, H.A., et al., (1983) Proc. Natl. Acad. Sci. USA 80:21-25)."

At column 36, lines 61-64: "FIG. 41 shows the results of the binding assay of cells that were mock-transfected or transfected with the expression vector p30 $\Theta$ KXVA."

At column 38, lines 9-12: "500mM oxidized glutathione was added to the supernatant to a final concentration of 20 mM, and the mixture was incubated at room temperature for 10 min."

The text indicated above by underline, which appeared in the specification as originally filed or as amended during prosecution, was omitted in the issued patent, and the text indicated above by strikethrough, which did not appear in the specification as originally filed or as amended during prosecution, was added to the issued patent. Patentees' Assignee, therefore, respectfully requests that the following corrections be made:

In the Abstract, on the front page, at column 2, delete "30kDa" before "TNF inhibitor or a fragment thereof";

At column 5, line 48, delete " $\Delta$ 51A," and insert therefor -- $\Delta$ 51 (A)--;

At column 8, line 13, delete "a  $\Delta$ 51" and insert therefor -- $\Delta$ 51--;

At column 19, line 3, delete "intone" and insert therefor --in one--;

At column 23, line 60, delete "TNF-aff igel" and insert therefor --TNF-affigel--;

At column 24, line 18, delete "40° C." and insert therefor --4° C.--;

At column 24, line 19, delete "40° C." and insert therefor --4° C.--;

At column 29, line 61, delete "tacd" and insert therefor --tac I--;

At column 36, line 64, delete "p30OKXVA" and insert therefor --p30KXVA--;

At column 38, line 10, delete "2 mM" and insert therefor --20 mM--.

Included herewith is a Certificate of Correction form (PTO/SB/44; Form PTO-1050) containing the text of these corrections.

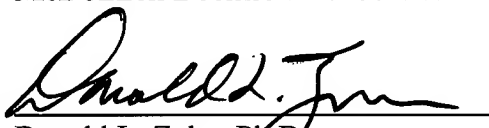
Patentees' Assignee further contends that Patent No. 6,541,620 is not involved in an interference and that the nature of the mistakes are such that the Office should deem a Certificate of Correction, in this instance, appropriate. It is, therefore, respectfully requested that a Certificate of Correction stating the fact and nature of the mistakes be issued.

Patentees' Assignee does not believe any additional fee is required. However, the Commissioner is authorized to charge any deficiency to Deposit Account No. 13-2490.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

Dated: June 16, 2003

By:

  
Donald L. Zuhn, Ph.D.  
Reg. No. 48,710

UNITED STATES PATENT AND TRADEMARK OFFICE

**CERTIFICATE OF CORRECTION**

PATENT NO.: 6,541,620 **B1**

DATED: April 1, 2003

INVENTOR(S): Michael T. Brewer, Robert C. Thompson, Tadahiko Kohno

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

**Title Pg. Item [57]**

~~In the Abstract, on the front page, at column 2,~~ delete "30kDa" before "TNF inhibitor or a fragment thereof"; ✓

At column 5, line 48, delete "Δ51A," and insert therefor --Δ51 (A),--; ✓

At column 8, line 13, delete "a Δ51" and insert therefor --Δ51--; ✓

At column 19, line 3, delete "intone" and insert therefor --in one--; ✓

At column 23, line 60, delete "TNF-aff igel" and insert therefor --TNF-affigel--; ✓

At column 24, line 18, delete "40° C." and insert therefor --4° C.--; ✓

At column 24, line 19, delete "40° C." and insert therefor --4° C.--; ✓

At column 29, line 61, delete "tacd" and insert therefor --tacI--; ✓

At column 36, line 64, delete "p30OKXVA" and insert therefor --p30KXVA--; ✓

At column 38, line 10, delete "2 mM" and insert therefor --20 mM--; ✓

MAILING ADDRESS OF SENDER:

Donald L. Zuhn, Jr.  
McDonnell Boehnen Hulbert & Berghoff  
300 South Wacker Drive, 32nd Floor  
Chicago, Illinois 60606

PATENT NO. 6,541,620

No. of add'l. copies

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UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 6,541,620 B1  
DATED : April 1, 2003  
INVENTOR(S) : Michael T. Brewer, Robert C. Thompson and Tadahiko Kohno

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page,

Item [57], **ABSTRACT**, delete "30kDa" before "TNF inhibitor or a fragment thereof";

Column 5,

Line 48, delete "Δ51A," and insert therefor -- Δ51 (A), --;

Column 8,

Line 13, delete "a Δ51" and insert therefor -- Δ51 --;

Column 19,

Line 3, delete "intone" and insert therefor -- in one --;

Column 23,

Line 60, delete "TNF-aff igel" and insert therefor -- TNF-affigel --;

Column 24,

Lines 18 and 19, delete "40° C." and insert therefor -- 4° C. --;

Column 29,

Line 61, delete "tacd" and insert therefor --tacI --;

Column 36,

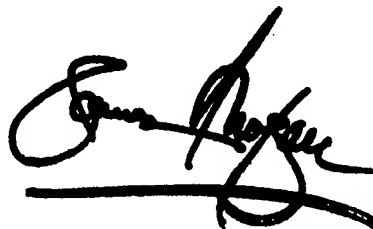
Line 64, delete "p30OKXVA" and insert therefor -- p30KXVA --;

Column 38,

Line 10, delete "2 mM" and insert therefor -- 20 mM --.

Signed and Sealed this

Twenty-third Day of September, 2003

A handwritten signature in black ink, appearing to read "James E. Rogan", with a horizontal line drawn underneath it.

JAMES E. ROGAN  
*Director of the United States Patent and Trademark Office*